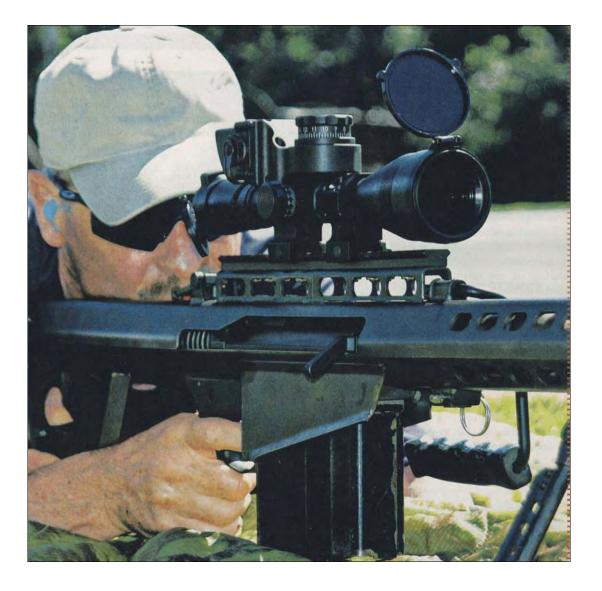
Exhibit 21

To Defendants' Memorandum in Support of Motion for

Summary Judgment

The Militarization of the U.S. Civilian Firearms Market





Violence Policy Center June 2011

The Violence Policy Center (VPC) is a national non-profit educational organization that conducts research and public education on violence in America and provides information and analysis to policymakers, journalists, advocates, and the general public. This report was authored by VPC Senior Policy Analyst Tom Diaz. The study was funded in part with the support of the David Bohnett Foundation and The Joyce Foundation. Past studies released by the VPC include:

- A Shrinking Minority: The Continuing Decline of Gun Ownership in America (April 2011)
- Blood Money: How the Gun Industry Bankrolls the NRA (April 2011)
- Lost Youth: A County-by-County Analysis of 2009 California Homicide Victims Ages 10 to 24 (January 2011)
- Black Homicide Victimization in the United States (January 2011)
- When Men Murder Women: An Analysis of 2008 Homicide Data (September 2010)
- Drive-by America: Second Edition (July 2010)
- Lessons Unlearned The Gun Lobby and the Siren Song of Anti-Government Rhetoric (April 2010)
- Target: Law Enforcement—Assault Weapons in the News (February 2010)
- Law Enforcement and Private Citizens Killed by Concealed Handgun Permit Holders—An Analysis of News Reports, May 2007 to April 2009 (July 2009)
- Indicted: Types of Firearms and Methods of Gun Trafficking from the United States to Mexico as Revealed in U.S. Court Documents (April 2009)
- Iron River: Gun Violence and Illegal Firearms Trafficking on the U.S.-Mexico Border (March 2009)
- "Big Boomers"—Rifle Power Designed Into Handguns (December 2008)
- American Roulette: Murder-Suicide in the United States (April 2008)
- An Analysis of the Decline in Gun Dealers: 1994 to 2007 (August 2007)
- Clear and Present Danger: National Security Experts Warn About the Danger of Unrestricted Sales of 50 Caliber Anti-Armor Sniper Rifles to Civilians (July 2005)
- The Threat Posed to Helicopters by 50 Caliber Anti-Armor Sniper Rifles (August 2004)
- United States of Assault Weapons: Gunmakers Evading the Federal Assault Weapons Ban (July 2004)
- Vest Buster: The .500 Smith & Wesson Magnum—The Gun Industry's Latest Challenge to Law Enforcement Body Armor (June 2004)
- Bullet Hoses—Semiautomatic Assault Weapons: What Are They? What's So Bad About Them? (May 2003)
- "Officer Down"—Assault Weapons and the War on Law Enforcement (May 2003)
- *"Just Like Bird Hunting"—The Threat to Civil Aviation from 50 Caliber Sniper Rifles* (January 2003)
- Sitting Ducks—The Threat to the Chemical and Refinery Industry from 50 Caliber Sniper Rifles (August 2002)
- License to Kill IV: More Guns, More Crime (June 2002)
- *"A .22 for Christmas"—How the Gun Industry Designs and Markets Firearms for Children and Youth* (December 2001)
- Unintended Consequences: Pro-Handgun Experts Prove That Handguns Are a Dangerous Choice For Self-Defense (November 2001)
- Voting from the Rooftops: How the Gun Industry Armed Osama bin Laden, Other Foreign and Domestic Terrorists, and Common Criminals with 50 Caliber Sniper Rifles (October 2001)
- Hispanics and Firearms Violence (May 2001)
- Where'd They Get Their Guns?—An Analysis of the Firearms Used in High-Profile Shootings, 1963 to 2001 (April 2001)
- A Deadly Myth: Women, Handguns, and Self-Defense (January 2001)
- Handgun Licensing and Registration: What it Can and Cannot Do (September 2000
- Pocket Rockets: The Gun Industry's Sale of Increased Killing Power (July 2000)
- Guns For Felons: How the NRA Works to Rearm Criminals (March 2000)
- One Shot, One Kill: Civilian Sales of Military Sniper Rifles (May 1999)
- Cease Fire: A Comprehensive Strategy to Reduce Firearms Violence (Revised, October 1997)

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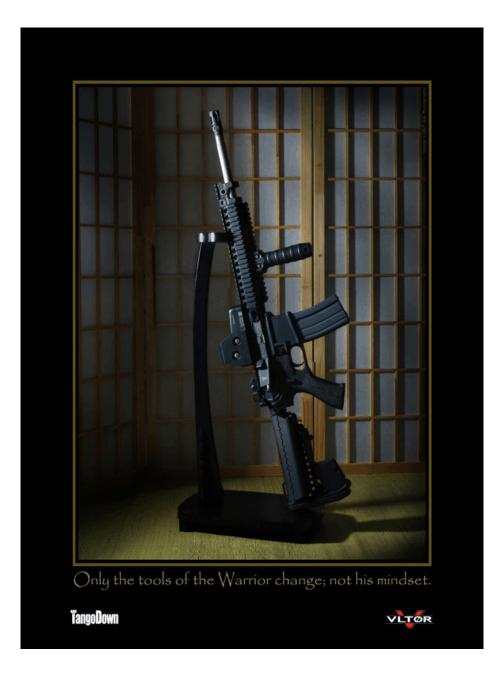
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This report is published in PDF format and is designed to be printed out in color as a single-sided document.



Firearms accessories manufacturer TangoDown claims on its website that it "...exists for one reason. To design, develop and manufacture the highest quality products for the warriors of the United States Armed Forces." However, many of its products—like the poster reproduced above—and its advertising are aimed at the militarized civilian market.

www.tangodown.com/td_pages/p_about.html



Sgt. Brandon Paudert (left) and Officer Bill Evans (right) of the West Memphis (Arkansas) Police Department were shot to death May 20, 2010, following a traffic stop. The shooter, 16-year-old Joseph Kane, was armed with an AK-47 semiautomatic assault rifle. Kane and his father, Jerry, were killed in a gunfight with police in a nearby Walmart parking lot. The Kanes were reportedly members of the anti-government Sovereign Citizens Movement.

"Brandon and Bill had no chance against an AK-47," [West Memphis Police Chief Bob] Paudert said. "They were completely outgunned. We are dealing with people who rant and rave about killing. They want government officials dead. We had a 16-year-old better armed than the police."

"West Memphis police chief says officers' pistols were no match for heavily armed teenager," *The Commercial Appeal* (Memphis, TN), May 25, 2010

"Sovereign Citizens Movement members leave two police officers dead in shootout," NBC News Transcripts, July 5, 2010

Key Findings

The civilian firearms industry in the United States has been in decline for several decades. Although the industry has enjoyed periods of temporary resurgence, usually primed by "fear marketing"—encouraging people to buy guns by stoking fear of crime, terrorism, violent immigrants, or government control, for example—the long-term trend for the manufacturers of guns for civilians has been one of steady decline.

Selling militarized firearms to civilians—i.e., weapons in the military inventory or weapons based on military designs—has been at the point of the industry's civilian design and marketing strategy since the 1980s. Today, militarized weapons —semiautomatic assault rifles, 50 caliber anti-armor sniper rifles, and armor-piercing handguns—define the U.S. civilian gun market and are far and away the "weapons of choice" of the traffickers supplying violent drug organizations in Mexico.

The flood of militarized weapons exemplifies the firearms industry's strategy of marketing enhanced lethality, or killing power, to stimulate sales. The resulting widespread increase in killing power is reflected in the toll of gun death and injury in the United States—a relentless count that every year takes 10 times the number of lives as the terrorist attacks of September 11, 2001.¹

Militarization has baleful consequences beyond the "routine" toll of murders, suicides, and unintentional deaths. Military-style weapons are a favored tool of organized criminals such as gangs and drug traffickers, and violent extremists. Semiautomatic assault weapons—especially inexpensive AK-47 type imports—are increasingly used in attacks against law enforcement officers in the United States.

The pernicious effects of the militarized U.S. civilian gun market extend well beyond the borders of the United States. Lax regulation and easy access to these relatively inexpensive military-style weapons has resulted in their being smuggled on a large scale from the U.S. to criminals throughout the Western Hemisphere—including Mexico, Canada, Central America, the Caribbean, and parts of South America—as well as to points as far away as Afghanistan, the Balkans, and Africa.

This study surveys the rise of the militarized civilian gun market, examines its impact on public health, safety, and crime in the United States and the world, and refutes the gun lobby's recent attempt to "rebrand" semiautomatic assault weapons as "modern sporting rifles."

"Militarization" – What is It?

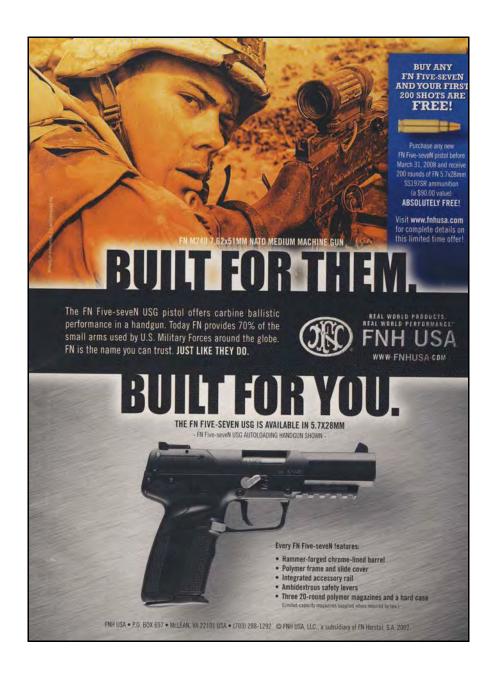
The verb "militarize" means "to give a military character to" something.² The gun industry has given a "military character" to guns in the U.S. civilian market by—

Selling on the civilian market guns that are identical to guns used by the armed forces of the United States and other countries. These firearms include such sophisticated weapons as the Barrett 50 caliber anti-armor sniper rifle and the FN Herstal Five-seveN 5.7mm pistol.



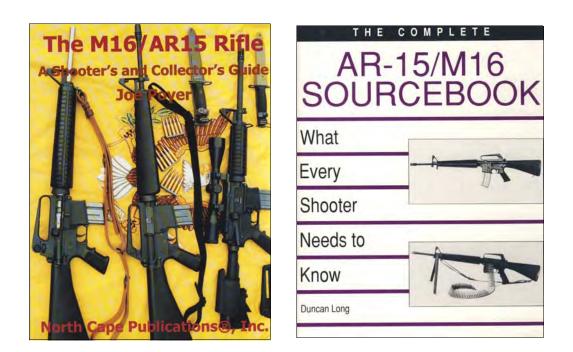
The Barrett Firearms 50 caliber anti-armor sniper rifle used in combat (above) is sold without meaningful regulation in the U.S. civilian gun market.





This ad from *Guns & Ammo* (March 2008) explicitly plays on the military's use of FN's Five-seveN 5.7mm armor-piercing handgun.

Designing and manufacturing, or importing, civilian variants of military firearms that would otherwise be illegal to sell on the civilian market. These are principally semiautomatic versions of military assault weapons. (Military assault rifles are capable of fully automatic fire. They are thus barred, as "machine guns," from sale to civilians in the United States.) They include many variants of the AR-15 (the civilian version of the U.S. military M-16 assault rifle) and numerous semiautomatic versions of the Kalashnikov assault rifle, popularly known as the AK-47.



The covers of these books, the left published in 2000, the right in 1992, graphically illustrate the equivalence gun enthusiasts see between the military M-16 and the civilian AR-15.

Heavily promoting military-style products through images, slogans, print, video, and other electronic media that link the features, capabilities, and uses of military weapons with firearms available on the civilian market. In addition to this direct product promotion, the industry relies heavily on suggestive "patriotic" and "heroic" imagery—both historic and contemporary—to identify ownership of military-style weapons with grand themes of "patriotism" and "homeland defense."



These ads from the NRA's *American Rifleman* magazine (May 2010) are typical of how the gun industry implicitly evokes militaristic themes in its marketing.

In short, the gun industry designs, manufactures, imports, and sells firearms in the civilian market that are to all intents and purposes the same as military arms. It then bombards its target market with the message that civilian consumers—just like real soldiers—can easily and legally own the firepower of militarized weapons.





Colt's Manufacturing's 2010 catalog (cover at top) *American Legends* touches all the bases. Internal pages, clockwise from upper left, glorify: Teddy Roosevelt and his Rough Riders; World War I hero Sgt. Alvin York; Colt's CEO Marine Lt. Gen. William M. Keys; and, U.S. Navy deserter and 1930s bank robber John Dillinger. The brochure's mawkish tone is typical of gun industry advertising and gun lobby propaganda.

Why Has the Gun Industry Militarized Its Market?

In spite of the gauzy imagery of its advertising, the gun industry's militarization is simply a business strategy aimed at survival: boosting sales and improving the bottom line. The hard commercial fact is that military-style weapons sell in an increasingly narrowly focused civilian gun market. True sporting guns do not.

Here, for example, is an informed industry assessment of the importance of assault (often euphemistically called "tactical") weapons to the gun industry from October 2008:

If there is an area of good news, it's still the tactical segment. In the past week, storefront owners and catalog retailers are unequivocally saying that, with the exception of the tactical categories—from AR-style rifles to the polymer pistols increasingly found in the holsters of law enforcement across the country, sales are slow.³

Here is another from an article titled, "Industry Hanging Onto [sic] A Single Category" -

The net of all the numbers is that if you're a company with a strong line of high-capacity pistols and AR-style rifles, you're doing land office business. If you're heavily dependent on hunting, you are hurting.⁴

Gun Industry Problem: Long-Term Decline. The civilian firearms industry in the United States has been in decline for several decades. Although it has from time to time enjoyed brief peaks in sales, it has been essentially stagnant. For example, demand for firearms apparently increased beginning in 2008 because of fears that "high unemployment would lead to an increase in crime" and the Obama administration would "clamp down" on gun ownership by regulating assault weapons. But demand fell back as these fears waned.⁵ A writer for the online industry publication *Shooting Wire* noted in September 2009:

...research tells me what everyone already knows: gun sales are slowing again. It seems the "Barack Boom" has started to go bust. No real reason, other than maybe the fact that everyone already has all the AR-style rifles they can shoot, store or afford, but there is an undeniable slowdown....⁶

In spite of such occasional anomalies, fundamental long-term trends have worked against the gun industry. The nation's largest firearms manufacturer, Freedom Group, Inc., included the following candid disclosure in a document filed recently with the U.S. Securities and Exchange Commission (SEC):

We believe that a number of trends that currently exist may affect the hunting and shooting sports market:

- the development of rural property in many locations has curtailed or eliminated access to private and public lands previously available for hunting;
- environmental issues, such as concern about lead in the environment; and
- decreases in consumer confidence and levels of consumer discretionary spending.

These trends may have a material adverse effect on our business by impairing industry sales of firearms, ammunition and other shooting-related products.⁷

Other trends include aging consumers – the percent of the U.S. population aged 65 and older has grown from 4.1 percent in 1900 to 12.4 percent in 2000.⁸ Gun owners are older and young people are less likely to buy firearms. The *Christian Science Monitor* reported in 2002 that some in the gun industry itself explained that the "fact that the average age of gun owners continues to increase is...more than a statistical quirk tied to aging baby boomers. Rather it's a sign that younger generations see guns differently."⁹ The growing proportion of immigrants in U.S. society also has an impact: "America's increasing immigrant population has less of a tradition with firearms..."¹⁰



Electronic entertainment like Nintendo's Super Mario series of video games threatens the gun industry's crucial "youth market."

Recent studies have shown that alternative recreation has drastically affected so-called "nature recreation"—camping, hunting, fishing, and park visitation—by all Americans. According to these studies, "Most reliable long-term per capita visitation measures of nature recreation peaked between 1981 and 1991. They've declined about 1.2 percent per year since then, and have declined a total of between 18 percent and 25 percent."¹¹ The authors state the cause is "a social change of values characterized by our increasing pursuit of electronic media entertainment."¹² According to the Entertainment Software Association, U.S. sales of computer and video games grew from \$2.6 billion in 1996 to "well over \$7.0 billion" in 2007.¹³

As a result, the gun industry has failed to keep up with population growth. Between 1980 and 2000 the U.S. population grew from 226,545,805 to 281,421,906-a 24 percent increase.¹⁴ Over the same period, total domestic small arms production fell from 5,645,117 to 3,763,345-a 33 percent decrease.¹⁵ As America has gotten bigger, the gun industry has gotten smaller.

Gun Industry Solution: Generating Demand with New and More Lethal Designs. In order to entice new gun owners into its shrinking pool of customers—and to motivate gun owners already in the pool to buy more guns—the gun industry seeks to create innovative products that offer new features and appeal to consumer trends. The industry *itself* deliberately creates these consumer trends.

An example lies in the phenomena of: (1) the gun lobby's nationwide campaign, led by the National Rifle Association (NRA), to change state laws to allow the concealed carry of firearms; and, (2) the gun industry's parallel aggressive marketing of concealable, high-powered handguns. In a 1996 interview with *The Wall Street Journal*, the NRA's then-chief lobbyist, Tanya Metaksa, claimed credit for generating new gun sales with the concealed carry campaign: "The gun industry should send me a basket of fruit—our efforts have created a new market."¹⁶

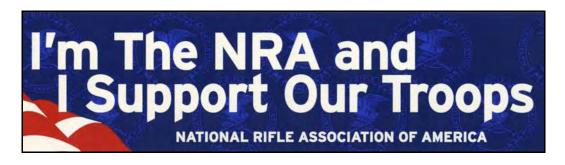


Colt's Manufacturing evokes the militaristic image of Air Force General Curtis LeMay—"Father of the Strategic Air Command"—to promote its 01970 CY "carry model" semiautomatic pistol.

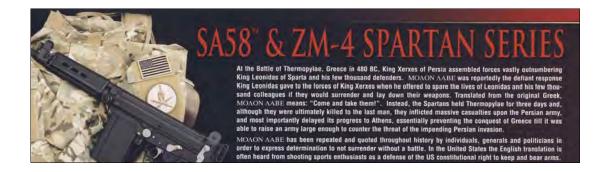
> Colt American Legends catalog (2010)

A Freedom Group filing with the SEC contains a more recent description of the process: "We have also shifted our business from a manufacturing-based 'push system' to a customer-focused 'pull system,' *driven by our Chief Sales and Marketing Officers.*" [emphasis added]¹⁷ Translated into plain English from the language of financial filings, this admission means that the conglomerate's marketing technique is to *generate* demand ("pull").

The constant generation of "pull" in niche markets is vital to the industry's survival. If a manufacturer's new product generates sufficient "pull," or product demand, imitation by other manufacturers and proliferation of the design follows swiftly.



NRA bumper sticker typical of gun lobby's pseudo-patriotic propaganda.



DSA, Inc. promoted its "Spartan Series" semiautomatic assault rifles with the Greek phrase "*Molon Labe*" ("Come and take them") supposedly uttered by Spartan warriors in 480 BC at the Battle of Thermopylae. "In the United States the English translation is often heard from shooting sports enthusiasts as a defense of the U.S. constitutional right to keep and bear arms," the company's brochure states.

Appealing to the Soldier Within. A marketing technique central to the gun industry's militarization campaign is appealing to the soldier within potential buyers who are drawn for emotional—or more sinister practical—reasons to military weaponry.



FN Herstal USA's 2010 catalog touts the SCAR 16S, "the semi-auto only version of the U.S. Special Operations Command's newest service rifle."

Here, for example, is an industry newsletter's description of the appeal of an assault rifle recently introduced by FN Herstal—the FNAR—by reference to a well-known military weapon, the Browning Automatic Rifle (BAR):

Even as many in the firearms business worry about the potential for another assault on assault rifles...there's yet another entry into the black rifle marketplace.

FNH USA has announced the availability of their new FNAR 7.62x51mm semiautomatic rifle. If [sic] looks something like a tuner-version of the venerable BAR, but there's probably some reason for that resemblance. FNH, after all, owns Browning—and the Browning Automatic Rifle carries a lot of mystique with law enforcement and military folks.¹⁸



"Descending from the legendary Browning Automatic Rifle (BAR), the FNAR puts autoloading speed and bolt-action accuracy into one powerful package."

FNUSA description of its FNAR civilian semiautomatic assault rifle, www.fnhusa.com/le/products/firearms/group.asp?gid = FNG022&cid = FNC01



The BAR was a favorite of U.S. Marines in World War II—and of a notorious 1930s outlaw, serial cop-killer Clyde Barrow.

The gun industry's embrace of militarization can be seen in the chart below. Eleven of the top 15 gunmakers manufacture some type of assault weapon.

Eleven of the Top 15 Gun Manufacturers Market Assault Weapons ¹⁹				
Rank	Manufacturer	Assault Weapons?	Make or Type	
1	Sturm, Ruger	Yes	Mini-14 and SR-556 assault rifles	
2	Smith & Wesson	Yes	M&P 15 assault rifle	
3	Remington	Yes	R-15 assault rifle	
4	Maverick/Mossberg	Yes	Tactical .22 assault rifle and assorted assault shotguns	
5	Marlin	No		
6	Sig Sauer	Yes	Assorted assault rifles	
7	Kel-Tec	Yes	Assorted assault rifles	
8	Savage	Yes	110 BA assault rifle	
9	H&R 1871	No		
10	Beemiller	Yes	Hi-Point Carbine assault rifle	
11	Henry Repeating Arms	No		
12	DPMS	Yes	Assorted assault rifles	
13	Beretta, USA	Yes	Storm assault rifles	
14	Bushmaster	Yes	Assorted assault weapons	
15	Glock	No		

How Has the Gun Industry Militarized Its Market?

The gun industry has militarized the civilian market with three major types of firearms: high-capacity handguns, assault rifles and pistols, and sniper rifles.

High-Capacity Handguns

Handguns are a basic weapon of the U.S. military. Until 1911, the U.S. armed forces historically favored revolvers. In that year the U.S. Army adopted a semiautomatic pistol for the first time, the iconic Colt M1911 in .45ACP (designated the M1911A1 after modifications were made in 1926).²⁰



Colt Model 1911A1

The Colt pistol remained the military's standard sidearm until 1989. Although various models of the Colt pistol were offered in the civilian market, American consumers favored revolvers, which continued to dominate the market until 1989.

In that year, Beretta, U.S.A. Corporation—a subsidiary of an Italian gun manufacturer—won final approval of a contract to replace the venerable M1911A1 with its 9mm semiautomatic pistol. In short order, the U.S. civilian handgun market was revolutionized and militarized, in large part because of a deliberate, well-documented marketing strategy by Beretta's management.

Handgun Militarization—High-Capacity Semiautomatic Pistols. Beretta's pistol, designated the M-9, entered service in 1990 as the military's primary sidearm.²¹ But

Beretta's top executive told the *Baltimore Sun* in 1993 that the military contract was simply "part of a carefully planned strategy dating back to 1980"—

The plan was to win the military contract and use it to make Beretta a household name in the United States in hopes of tapping into the larger law-enforcement and commercial markets. That's why, [Robert] Bonaventure [head of Beretta U.S.A. Corp.] said, the company has been selling pistols to the military for about \$225 each-close to production cost....The biggest market-about twice the size of the police and military business combined-is the commercial market....²²



Beretta's top U.S. executive told the *Baltimore Sun* in 1993 that the company's strategy was to use the cachet of military sales to reach the larger civilian handgun market. The Beretta M9 also became a favorite of street gangs and drug dealers.

Beretta advertisement from October 1985 issue of *Guns & Ammo* exemplifies the Italian arms maker's use of military cachet in civilian gun market.



When the U.S. Government went looking for a new standard issue sidearm, it tested the best pistols in the world. But the Beretta 92 F. Pmm Parabellum thoroughly outclassed the competition in every government performance Inal. In accuracy Safety, Reliability, Firepower, In grip, teel, lightness, and pointability. The Milliany was convinced. New America's fighting men will carry the finest 9mm sidearm in the world. Consistently superior quality and service have also convinced.



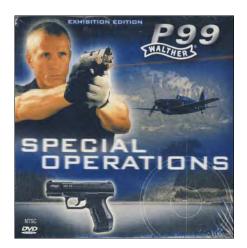
law enforcement agencies like the Connecticut and Wyoming State Police and the Texas Rangers to switch to Look at the outstanding features. Check out the 92 F and the 92 SB Compact along with the complete line of quality Benetts sporting and competition frearms at your gun dealers today. Or send \$200 to Benetta USA for a copy of our catalog. Benetta USA Corp. 17601 Indian Head Highway, Accokeek, Md. 20607 (301) 283-2191 Austrian entrepreneur Gaston Glock had a similar objective when he founded his handgun manufacturing company, won an Austrian army competition in 1982, opened a U.S. subsidiary, and then went after the American law enforcement market. "In marketing terms, we assumed that, by pursuing the law enforcement market, we would then receive the benefits of 'after sales' in the commercial market," Glock told *Advertising Age* in 1995.²³



Austrian gun manufacturer Glock promotes its firearms by constantly linking them to law enforcement use, a form of domestic militarism.

Boosted by these companies' sophisticated marketing strategies, and an adulatory gun press, high-capacity 9mm semiautomatic pistols reinvigorated the industry in the 1980s. Known as "Wonder Nines," 9mm semiautomatic pistols drove the formerly dominant revolvers out of the handgun market and created a lucrative boom for the industry. The military-style semiautomatic pistols proliferated.

The switch from revolvers to high-capacity pistols dramatically enhanced handgun lethality. As *Jane's Infantry Weapons* observed in the early 1980s, revolvers are "bulky," "generally limited to six rounds," take a "long time to reload," and produce low muzzle velocity. Pistols "can be made flat and unobtrusive," "take up to 13 rounds or more," feature a "simple to replace magazine," and high muzzle velocity.²⁴



Gun industry promotional materials, like this DVD distributed at an NRA convention by German gun-maker Carl Walther, frequently emphasize such militaristic terms as "mission," "special operations," and "tactical."





Sniperworld (above) sells military-style firearms through the Internet. Here it assigns customers the "mission" of picking their sniper rifle. The dealer displays its membership in the NRA Business Alliance: "The Business of Freedom." *Handgun Militarization—High-Capacity "Anti-Terrorist" Vest-Busting Pistols.* In the scramble for market, the gun industry has introduced a plethora of high-capacity, high-caliber semiautomatic pistol designs since the mid-1980s. But no product better captures the gun industry's relentless militarization than the Belgian company FN Herstal's introduction into the civilian market of a pistol and cartridge specifically designed to defeat body armor—the FN Model Five-seveN.

FN Herstal originally created the 5.7X28mm cartridge as the ammunition for a new submachine gun, the P90. The gun and round combination was developed in response to NATO's request for design of a weapon that would be effective against body armor—ubiquitous on the modern battlefield. (The P90 is the prime example of a new generation of "high-tech" assault rifles, and a civilian version, the PS90, has become popular in the United States.) In short order, the company also designed a handgun that would chamber the innovative armor-piercing submachine round.

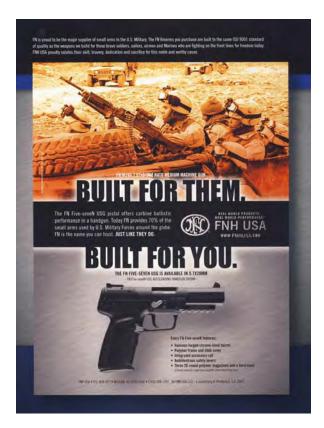


"Just like the Five-seveN handgun, the P90 submachine gun was developed around the 5.7x28mm ammunition to meet the Armies [sic] requirement in terms of efficiency."

FN Herstal website

FN clearly understood that it was releasing a lethal genie. A spokesman for the company told the *Sunday Times* in 1996 that the pistol was "too potent" for normal police duties and was designed for anti-terrorist and hostage rescue operations.²⁵ The NRA's *American Rifleman* claimed in 1999 that: "Law enforcement and military markets are the target groups of FN's new FiveseveN pistol," and told its readers, "Don't expect to see this cartridge sold over the counter in the United States. In this incarnation, it is strictly a law enforcement or military round."²⁶ In 2000, *American Handgunner* magazine assured the public, "For reasons that will become obvious, neither the gun nor the ammunition will ever be sold to civilians or even to individual officers."²⁷

In fact, this handgun, described as being for anti-terrorist and hostage rescue operations with its law enforcement and military round were, and are, freely sold to civilians. FN was simply hyping its new product with widespread publicity in the gun press about "restricted" sales to military and police, and then—having whetted the gun buying public's appetite—moved into the much bigger and more profitable civilian market. The Model Five-seveN is one of the leading firearms smuggled to Mexico from the U.S. civilian gun market.



FN has heavily promoted its armorpiercing handgun in the U.S. civilian market. FN emphasizes its military cachet: "Today FN provides 70% of the small arms used by U.S. Military Forces around the globe. FN is the name you can trust. JUST LIKE THEY DO." [Capitals in original.]

FNH USA 2008 catalog

U.S. Army Major Nidal Malik Hasan, right, used an FN Five-seveN 5.7mm semiautomatic pistol at Ft. Hood, Texas, on November 5, 2009. The major allegedly shot to death 13 people and wounded 32 others. He awaits trial in an Army court martial.





Although aimed at women, this ad's text promotes FN's military connection: "Built for America's Forces. Built for You."

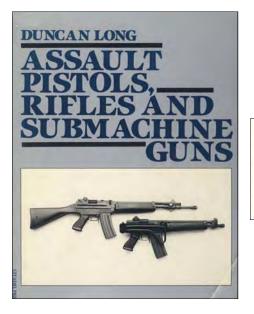
Assault Rifles and Assault Pistols

In the mid-1980s, the industry found another niche market—semiautomatic assault weapons.

Semiautomatic assault weapons are civilian versions of automatic military assault rifles (like the AK-47, the M-16, and FN's high-tech P-90) and automatic military assault pistols (like the UZI).²⁸

The military weapons "look" the same as the civilian weapons because they are functionally virtually identical. They differ only in one feature: military assault rifles are "machine guns." A machine gun fires continuously as long as its trigger is held back—until it runs out of ammunition. Civilian assault rifles are *semi*-automatic weapons. The trigger of a semiautomatic weapon must be pulled back separately for each round fired.

Because federal law has banned the sale of new machine guns to civilians since 1986,²⁹ and heavily regulates sales to civilians of pre-1986 machine guns, there is virtually no civilian market for military assault weapons. The gun industry introduced semiautomatic versions of these deadly military assault weapons in order to create and exploit civilian markets.



The next problem arises if you make a semiauto-only model of one of these selective-fire rifles. According to the purists, an assault rifle has to be selective fire. Yet; if you think about it, it's a little hard to accept the idea that firearms with extended magazines, pistol grip stock, etc., cease to be assault rifles by changing a bit of metal.

In his 1986 book pro-gun author Duncan Long dismissed in the quote above the suggestion that the semiautomatic civilian assault rifles were different in any substantial way from their military counterparts. The gun lobby has spent three decades trying to "rebrand" civilian assault rifles as mere sporting guns.

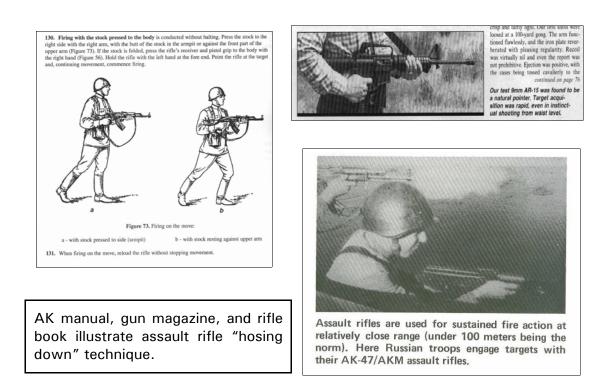
The world's armies developed assault weapons to meet specific combat needs. All assault weapons—military and civilian alike—incorporate specific features that were designed for laying down a high volume of fire over a wide killing zone. This is sometimes known as "hosing down" an area. Civilian assault weapons feature the specific military design features that make spray-firing easy and distinguish assault weapons from traditional sporting firearms.

The most important of these design features are -

- High-capacity detachable ammunition magazines that hold as many as 75 rounds of ammunition.
- A rear pistol grip (handle), including so-called "thumbhole stocks" and magazines that function like pistol grips.
- A forward grip or barrel shroud. Forward grips (located under the barrel or the forward stock) give a shooter greater control over a weapon during firing.

A gun industry observer summed up the design in September 2009:

From the minute you get your first modern, AR-style rifle, the first thing that you notice is the fact that it truly is one of the most ergonomic long guns you'll ever put to your shoulder. Makes sense, it was designed to take young men, many of whom had never fired a gun of any sort before, and quickly make them capable of running the rifle—effectively—in the most extreme duress, armed combat.³⁰



Imports—*AK-47 Variants.* The Soviet Army's premier assault rifle, the AK-47, went into service in 1947. The AK-47 has been made in many variants since then. It is said to be the most widely-distributed rifle in the world.

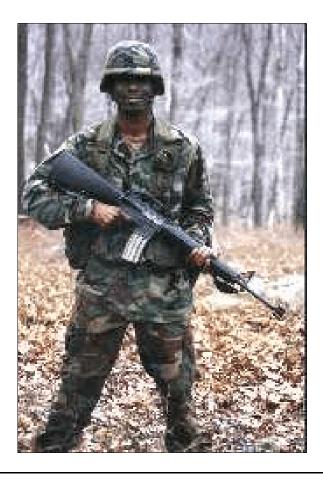
China was directly responsible for the AK boom in the United States. The country exported few guns to the United States until 1987, when Chinese rifle imports—mostly semiautomatic versions of the AK-47—surged. The flood of Chinese rifles reached 64 percent of all rifles imported into the United States in 1993.³¹

The executive branch has clear, existing authority under the Gun Control Act of 1968 to completely prohibit the import of any "non-sporting" firearm, such as these militaryderived weapons.³² In 1989, the George H.W. Bush administration blocked the importation of foreign-made semiautomatic assault rifles such as the AK variants. After the gun industry devised ways to skate around this ban with minor design changes, the Clinton administration acted again to cut off the flood of so-called "rule beaters." The George W. Bush administration, however, completely and surreptitiously abrogated the first Bush and Clinton import rules. The Obama administration has done nothing to reinstate the earlier tough rules. Accordingly, Eastern European gun manufacturers have taken the place of the Chinese gun makers. They are supplying millions of AK-47-type weapons to the U.S. civilian market through licensed importers.



Guns & Ammo ad for AK-type rifles from China in December 1985 (lower right). Since George W. Bush's administration opened the assault rifle floodgates again, AK-type rifles have poured in from Eastern Europe, as evidenced by the May 20, 2010, ad for J&G Sales from *Shotgun News*, which is typical of fare in the popular publication. **Domestic Production**—**AR-15 Variants of the M-16.** After studying over three million casualty reports from World Wars I and II, and data from the Korean War, the U.S. Army concluded, "Marksmanship was not as important as volume." Accordingly, it decided in the 1960s to replace its M-14 battle rifle with the M-16 assault rifle.³³

The gun industry quickly churned out civilian versions of the M-16, labeling the semiautomatic model the "AR-15" (the same designation as the prototype military assault rifle). "With the number of companies making those particular black rifles today, it's tough to keep up them [sic]," a gun industry insider wrote in 2009.³⁴



The gun industry created a vast market for AR-15 civilian versions of the U.S. military's M-16 assault rifle.

Manufacturers have recently introduced assault rifles in 22 caliber, considerably cheaper than the .223 ammunition of the usual AR-15 semiautomatic assault rifle. The lighter weapons also provide an entry model for later transition to higher-caliber rifles. For example, in August 2009 Smith & Wesson began shipments of its M&P15-22 semiautomatic assault rifle. Here is how one gun writer enthused about the new model:

...the M&P15-22 might be the first .22 LR AR platform that actually is appropriate for consumers, law enforcement and military use that can be used to teach AR operations and basic marksmanship skills and know there will be no modifications necessary to transition to the myriad of other AR calibers available.³⁵

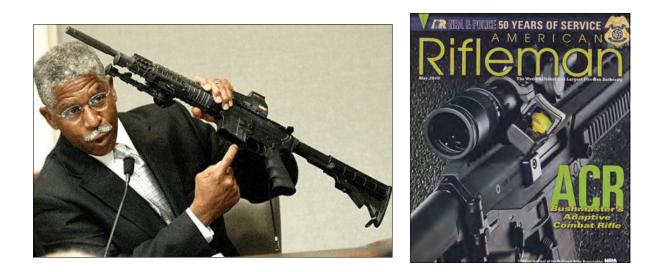


The industry has lately pushed 22 caliber semiautomatic assault rifles.

The 1994 Assault Weapons "Ban" and the Rise of Bushmaster. In 1994, Congress passed a ban on the production of certain semiautomatic assault weapons as well as new high-capacity ammunition magazines that held more than 10 rounds. The law banned specific assault weapons by name and also classified as assault weapons semiautomatic firearms that could accept a detachable ammunition magazine and had two additional assault weapon design characteristics.³⁶

Because the law listed merely cosmetic features (like bayonet mounts) and did not address the fundamental design of assault weapons, it was ineffective. The gun industry quickly made slight design changes in "post-ban" guns to evade the law, a tactic gunmakers dubbed "sporterization." One of the most aggressive of the manufacturers of "post-ban" ARs was Bushmaster Firearms. A Bushmaster XM15 M4 A3 assault rifle was used by the Washington, D.C.-area snipers to kill 10 and injure three in October 2002. A poster child for the industry's success at evading the ban, the snipers' Bushmaster was marketed as a "Post-Ban Carbine."

The 1994 law expired ("sunset") on September 13, 2004.



The Washington, D.C.-area "Beltway Snipers" used the Bushmaster semiautomatic assault rifle being shown at left above. Among Bushmaster's latest AR-type assault rifles is the "Adaptive Combat Rifle" featured on the cover of the NRA's May 2010 *American Rifleman*.

Assault Pistols—*UZI, Ingram, Intratec, and More*. A particularly deadly variant in the gun industry's marketing program has been the sale of civilian assault pistols, which are for the most part simply semiautomatic versions of submachine guns. Firearms expert Duncan Long explained the marketing basis of this trend in his book The Terrifying Three: Uzi, Ingram, and Intratec Weapons Families:

As the militaries of the world increasingly rely on assault rifles to fill the submachine gun role, making money on a new submachine gun design becomes harder and harder....Citizens purchasing firearms for everything from plinking to self-defense have provided a lucrative market, especially in the United States. Those weapons produced for the civilian market are generally semiauto versions of the automatic weapons, often modified slightly to conform to U.S. firearms laws.³⁷

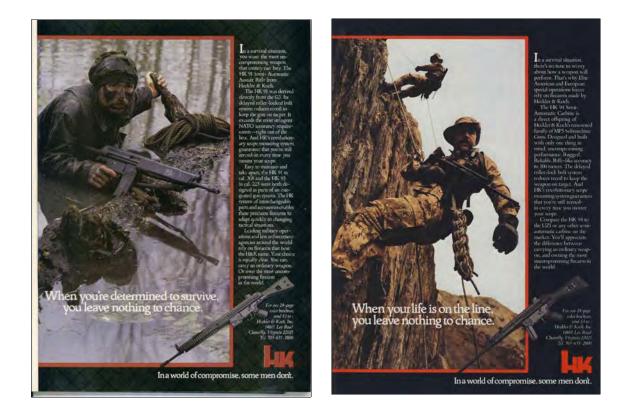
A more recent development has been the introduction of AK-47 type pistols, which combine all the deadly design characteristics of the military-style assault rifle with the greater concealability of the handgun.



Gun dealers offer AK-47 type semiautomatic assault pistols, like the Draco above, through the Internet.

The Assault Weapons Hype Market

The 1980s Explosion. Assault weapons quickly became hot items on the civilian market in the 1980s for a variety of reasons. For manufacturers, assault weapons helped counter the mid-1980s decline in handgun sales. Criminals—especially drug traffickers—were drawn to assault weapons' massive firepower, useful for fighting police and especially competing traffickers. Survivalists—who envisioned themselves fending off a horde of desperate neighbors from within their bomb shelters—loved the combat features of high ammunition capacity and anti-personnel striking power of assault weapons. Right-wing paramilitary extremists, in their ongoing battle against the "Zionist Occupational Government," made these easily purchased firearms their gun of choice. And for gun enthusiast fans of popular entertainment—*Rambo* and *Miami Vice*—semiautomatic assault weapons offered the look and feel of the "real thing."



German manufacturer Heckler & Koch pushed the civilian version of its military assault rifle in a series of ads—like these from *Guns & Ammo* magazine—in the mid-1980s stressing "survivalist" themes.

The Y2K Exploitation. The gun industry has ever since poured its efforts into new assault weapons designs and into their heavy marketing. One example of the industry's cynicism was its deliberate exploitation of widespread fears of a "breakdown" in public order at the turn of the millennium ("Y2K").³⁸

In the January 1999 issue of *Shooting Sports Retailer*, editor Bob Rogers predicted, "Amidst social turmoil and disintegrating economic underpinnings, you will sell more guns in 1999 than you've ever sold in your life."³⁹ *Shooting Industry*'s Russ Thurman asked readers, "Are you cashing in on the new millennium?"⁴⁰

The prime danger, the gun industry luridly suggested, was that of rampaging humans: "... since the Have Nots won't hesitate to break in and take from the Haves, plan on close contact. And plan on being outnumbered. High-capacity rifles, pistols and shotguns are obvious choices."⁴¹ But domestic pets could also become a threat to life in the gun industry's bizarre world: "One might also need to quickly stop a dog or dogs who through starvation revert to wild beasts. Dogs take a lot of killing, so a powerful round and good shot placement will be necessary should this distasteful task arise."⁴²



Premier gun industry magazine *Shooting Industry* advised dealers in September 1999 (left) that "...taking advantage of the Y2K 'scare' is smart business...." In January 2000 the magazine reported that "...predictions of massive unrest...prompted gunowners to stock-up [sic] on ammunition."

Gun World's Y2K Daisy Chain



Gun World magazine not only published its own article in 1999 about how to "survive Y2K"—it also referred its readers to its sister publication *American Survival Guide*, in which appeared another article of survival advice written by *Gun World* editor Jan Libourel.



Typical Y2K gun ads from 1999 are shown above.

Continuing Incitement. The gun industry, the NRA, and the gun press have exploited every real and imagined public fear since the 1980s—including the terror attacks of September 2001, Hurricane Katrina, "spillover" of border violence, and concerns about violent "illegal" immigrants. The industry's propaganda added fuel to the militia movement in the 1990s. Lethal confrontations occurred between federal law enforcement and civilians heavily armed with military-style weapons at Waco, Texas, and Ruby Ridge, Idaho. Barack Obama's election, and fears that he would push an anti-gun agenda, ignited growth in the "militia" movement and a disturbing trend of open display of assault weapons near Presidential speaking engagements.⁴³



The ad for a Benelli shotgun on the left, from the NRA's 2010 annual meeting brochure, ostensibly speaks to a "revolution" in shotgun design. The ad for the "tactical" shotgun on the right, from the September 2010 *Guns & Ammo* magazine, links "homeland security" to "Iraq, Afghanistan, Your Livingroom."



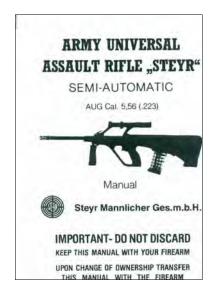
The NRA pamphlet "Freedom in Peril" warns, "Second Amendment freedom today stands naked...." Laced with ugly stereotypes of the gun lobby's political enemies—a classic technique for dehumanizing "the other"—it suggests "towering waves" of danger from ethnic and racial gangs. "Sometimes," the brochure suggestively states, "any hope of prevailing rests in the hearts and hands of a very urgent few...."



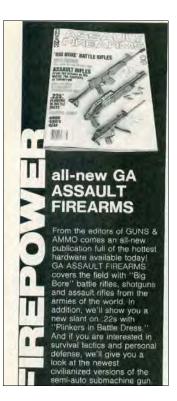
The National Shooting Sports Foundation's Rebranding Campaign. In November 2009, the National Shooting Sports Foundation (NSSF) announced that—"due to gun owners' concerns over President-elect Obama and possible legislation regulating the Second Amendment rights of Americans"—it had placed on its website a "media resource…to help clear up much of the confusion and misinformation about so-called 'assault weapons.'"⁴⁴

This was the opening salvo in the industry's meretricious campaign to "rebrand" semiautomatic assault weapons as "modern sporting rifles."⁴⁵ The point of the campaign—inspired by the pummeling the industry gets for selling killing machines—is apparently that semiautomatic assault rifles are really just another sporting gun, no different from an older generation of bolt-action and low-capacity rifles.

Unfortunately for the NSSF and the industry, the widely-reported affection for semiautomatic assault rifles by extremists, drug lords, and common criminals gives the lie to this insidious "rebranding" campaign. Even worse, some within the gun industry's own ranks apparently never got the NSSF rebranding memo. They continue to call semiautomatic assault rifles what they are—*assault* rifles—and even write lurid prose promoting the worst features of these guns.



Manufacturers and fan magazines alike called semiautomatic assault weapons "assault weapons" before their deadly killing power became a matter of public debate.



For recent example, the August 2010 edition of *Gun World* magazine headlines "Ruger's Mini-14 Tactical Rifle" as "'Combat Customized' From the Factory."⁴⁶ Among other outbursts of naked candor in the enthusiastic article are the following gems—

- Ruger's Mini-14 Tactical Rifle is a version of the wellestablished Mini-14 incorporating many of the assault rifle features that end users have being [sic] applying themselves for decades, this time straight from the factory.
- Being seen over the years as a sort of "poor man's assault rifle" the Mini-14 has spawned a huge array of after-market parts that may be applied to make it more "assault rifle-y." Recently Sturm, Ruger & Co. finally decided to get into the act themselves by producing their Mini-14 Tactical Rifles. [Bold added]

This spasm of candor is typical of the "wink and nod" game that the gun industry plays when it talks to itself and to its hard-core consumers: call them what you will—"black rifles," "tactical rifles," or "modern sporting rifles"—semiautomatic assault weapons are plain and simply military-style assault weapons.



50 Caliber Anti-Armor Sniper Rifles

The 50 caliber anti-armor sniper rifle is a case of militarization in which precisely the same weapon is sold on the civilian market as that sold to the world's armed services.

This lucrative weapon was invented in the early 1980s by a Tennessee commercial photographer, Ronnie G. Barrett, who derived the sniper rifle from the Browning 50 caliber machine gun.⁴⁷

Barrett's 1987 patent called his new invention an "anti-armor gun." He described the rifle in his patent claim as a "shoulder-fireable, armor-penetrating gun." Barrett related the novelty of his anti-armor gun as follows:

The recoil and weight of the Browning M-2 heavy-barrel machine gun (50 cal.), belt-fed, make it unsuitable for firing from the shoulder. The bolt-fed sniper rifle of smaller weight and caliber will not penetrate armored targets. The bolts of guns of a caliber that will penetrate armored targets are often broken by recoil because of excessive strain on the lock lugs. Thus, there is a need for a light-weight, shoulder-fireable, armor-penetrating gun that can stand up to heavy duty use. After extended investigation I have come up with just such a gun.

Barrett Firearms Manufacturing, Inc. is today the leading supplier of 50 caliber anti-armor sniper rifles to U.S. military forces and many other armies of the world.



Advertising note "From the Desk of Ronnie Barrett," inventor of the 50 caliber anti-armor sniper rifle, boasts that "...each Barrett model of large-caliber rifle is in service with a government somewhere around the globe." In his pitch to "Fellow Fun Enthusiasts," Barrett urges them to "[c]onsider this when you are comparing our rifles to any other competitor." Barrett has also aggressively marketed its anti-armor rifles to civilian buyers in the United States. After Barrett effectively created a new civilian market for his anti-armor rifles, lower-priced competition sprang up from dozens of new manufacturers cashing in on the booming niche. These rifles have become one of the hottest items sold in the civilian market.

In spite of their battlefield pedigree, 50 caliber anti-armor rifles are no more regulated under federal law than a 22 caliber target rifle, and are less regulated than handguns. Under federal law, anyone at least 18 years of age who is not in a category as to whom transfers or possession of firearms is prohibited—such as convicted felons—can legally buy any .50BMG anti-armor sniper rifle sold in America. But it is against the law for a federally licensed dealer to sell a handgun to anyone less than 21 years of age. Unlike other weapons of war—such as 50 caliber fully automatic machine guns—50 caliber anti-armor rifles are exempt from the stringent provisions of the federal National Firearms Act, which requires a photo, fingerprints, local law enforcement approval, record of the transfer, and registration of the weapon with a \$200 fee.

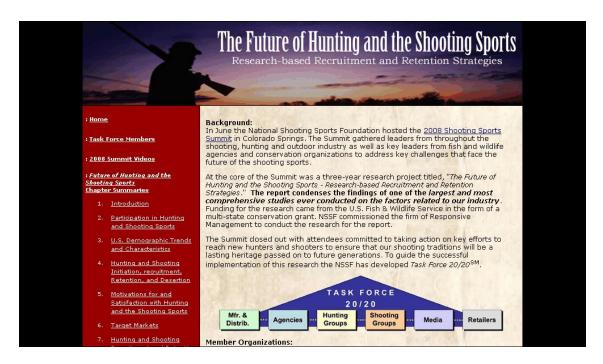


The gun industry has saturated the American civilian "gun culture" with 50 caliber anti-armor sniper rifles, like this AR-50.

Taxpayers Subsidize the Gun Industry

In spite of "anti-government" and insurrectionist rhetoric from the National Rifle Association and its ilk, the gun industry and the gun lobby aggressively milk the federal government for taxpayer subsidies. For example, the U.S. Fish & Wildlife Service regularly subsidizes gun industry marketing research in the guise of "conservation" grants, as described in this 2009 industry article:

The Task Force 20/20 group, industry leaders from the hunting and shooting sports, is continuing to work toward its goal of increasing participation in hunting and the shooting sports by 20 percent over the next five years....Task Force 20/20 began in 2008 during the NSSF Summit whose primary focus was discussing research from a three-year study titled The Future of Hunting and the Shooting Sports – Research-based Recruitment and Retention Strategies. The report condenses the findings of one of the largest and most comprehensive studies ever conducted on factors related to the hunting and shooting sports industry. Funding for the research came from the U.S. Fish & Wildlife Service in the form of a multi-state conservation grant.⁴⁸



The U.S. armed forces also subsidize industry activity, largely through the ploy of "marksmanship" programs, as this article from an industry newsletter attests:

Every summer, prior to the National Rifle and Pistol Trophy Matches at Camp Perry, Ohio, Soldiers from the U.S. Army Marksmanship Unit take time out of their own training and preparation to pass their knowledge and superb shooting skills on to the next generation of American shooters at the Small Arms Firing School....

"It's such a great thing," said Jim Davis, Hamilton, Ind. "This is the best place in the country, maybe the world, to learn about shooting and everything that goes with it."

Davis took his son and three other children from the Dekalb County 4-H club to the rifle class, stressing to them how valuable the instruction that they are receiving is to them now and down the road.

"I still remember when I came to this school as a teenager," he said. "I tell my kid that this is something that you'll always remember."⁴⁹

The Army Marksmanship Unit also hosts an annual event for "civilians playing army in combat situations."⁵⁰

The shooting sport of 3-gun competition, with pistol, rifle, and tactical shotgun is rooted somewhere in the idea of adults playing army. It is simulated combat. And Three Gun can get even more interesting when the Army issues an invitation to bring your guns and join up for three days of competition, with the Army Marksmanship Unit hosting their 3-gun challenge.⁵¹

The bottom line—ultimately the only thing that matters to the gun industry—is that taxpayers are paying for the means by which a dying industry hangs on by funding market research in the guise of "conservation grants" and introducing new generations of children to the "sport" of shooting military-style weapons in the drag of military marksmanship programs.

The Result: Militarized Firearms Define the U.S. Civilian Firearms Market

Military-style weapons today define the U.S. civilian gun market. As *Shooting Wire* summarized the gun industry's situation in December 2008:

The net of all the numbers is that if you're a company with a strong line of high-capacity pistols and AR-style rifles, you're doing land office business. If you're heavily dependent on hunting, you are hurting.⁵²



Military-style "combat rifles" and lethal firepower dominate U.S. civilian firearms market production and marketing.

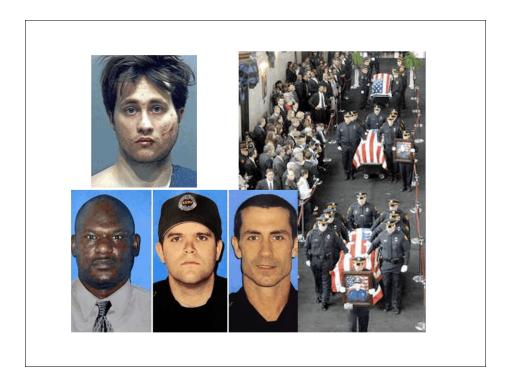
The Consequences of Militarization

The widespread availability of militarized firearms—including especially high-capacity semiautomatic pistols and assault weapons—has substantially raised the level of lethality of armed encounters in the United States. Criminal street gangs, drug traffickers, and militant extremists are all drawn to the military-style firepower of these weapons.

Two trends are remarkable.

Increasing Attacks on Law Enforcement with Assault Weapons. A recent Violence Policy Center study of reported incidents showed that more than one out of four assault weapons incidents involve police. Moreover, the number of assault weapons incidents involving police grew significantly between the two periods studied (March 1, 2005 to February 28, 2006 and March 1, 2006 to February 28, 2007).⁵³

A typical more recent incident is that of Richard Poplawski, who is accused of shooting to death Pittsburgh, Pennsylvania, police officers Paul J. Sciullo II, Stephen J. Mayhle, and Eric G. Kelly on April 4, 2009. Among the guns Poplawski fired at police was an AK-47 semiautomatic assault rifle.⁵⁴



Richard Poplawski and the three police officers who died on April 4, 2009.

Trafficking of Military-Style Weapons from the United States. According to both United States and Mexican officials, large numbers of military-style firearms from the U.S. civilian gun market fuel criminal violence in Mexico. Congressional hearings and public policy reports have made clear that the U.S. gun industry is instrumental in making readily available to illegal gun traffickers the types and numbers of weapons that facilitate drug lords' confrontations with the Mexican government and its people. U.S. and Mexican officials report that, based on firearms tracing data from the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the cartels obtain up to 90 percent of their firearms from the United States.⁵⁵



Military-style firearms smuggled from the United States fuel violence among Mexican drug cartels and criminal confrontations with the Mexican government. Weapons of choice include 50 caliber anti-armor sniper rifles, assault rifles, and cop-killing FN Five-seveN anti-armor handguns.

What Can Be Done?

More than anything else, the news media, public interest groups, and especially policymakers must come to grips with a deadly reality. That reality is that the gun industry is not today—if it ever was—a "sporting" industry. It is a highly militarized and increasingly cynical industry that has cast all restraint aside to generate profit from military-style firearms.

Like an injured predator, the industry is particularly dangerous as it sinks further into its inevitable decline. The gun industry's desperate "marketing" campaigns underwrite mass shootings in the United States, increasingly lethal confrontations with law enforcement, and armed violence abroad.

Most insidiously, the gun lobby's exploitation of fear—racial, ethnic, and political encourages resort to armed violence among the most impressionable and ill-equipped to function in a complex society.

This is truly an era in which to do nothing is to invite unthinkable violence.

Endnotes

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8. U.S. Census Bureau, *Demographic Trends in the 20th Century* (November 2002), Figure 2.7, "Percent of Total Population Age 65 and Over: 1900 to 2000," p. 59.

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32. 18 USC § 925(d)(3). The Attorney General also has authority to regulate the import of firearms that qualify as "defense articles" pursuant to the Arms Export Control Act, 22 USC § 2278.

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